IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 1591 of 2004(M)

PETITIONER:

T.K.GOPALAKRISHNAN, SENIOR GRADE VESHAM TEACHER,
NOW UNDER ORDERS OF TERMINATION)
UNNAYI WARRIER SMARAKA KALANILAYAM,
REG.NO.9/55. UNNAYI WARRIER ROAD,
IRINJALAKUDA 680 121.

BY ADV. SRI.K.RAMAKUMAR
SRI.T.S.ARUNKUMAR
SRI.T.RAMPRASAD UNNI

RESPONDENTS:
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1. UNNAYI WARRIER SMARAKA KALANILAYAM.
RG.NO.9/55, UNNAYI WARRIER ROAD,
IRINJALAKUDA 680 121, REP. BY ITS SECRETARY.

2. THE MANAGING COMMITTEE OF THE UNNAYI
WARRIER SMARAKA KALANILAYAM, REG.NO.9/55,
UNNAYI WARRIER ROAD, IRINJALAKUDA 680 121,
REP. BY ITS PRESIDENT.

BY ADV. SRI.M.P.ASHOK KUMAR – R1 AND R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 1591/2004 M

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SHOW CAUSE NOTICE NO. 01/DAP/UM/03 DT. 13/2/2003 BY THE R1 TO THE PETITIONER.

EXT.P2. COPY OF THE REPLY DATED 17/2/2003 BY THE PETITIONER BEFORE THE R1.

EXT.P3. COPY OF THE NOTICE DATED 14/2/2003 BY THE R1 TO THE PETITIONER.

EXT.P4. COPY OF THE REPLY DT. 15/2/2003 BY THE PETITIONER BEFORE THE R1.

EXT.P5. COPY OF THE SHOW CAUSE NOTICE DT. 20/2/2003 BY R1 TO THE PETITIONER.

EXT.P6. COPY OF THE REPLY DT. 24/2/2003 BY THE PETITIONER.

EXT.P7. COPY OF THE CHARGE MEMO DT. 3/07/2003 BY THE R1 TO THE PETITIONER.

EXT.P8. COPY OF THE AFFIDAVIT DT. 19/09/2003 BY THE PETITIONER BEFORE THE ENQUIRY OFFICER.

EXT.P9. COPY OF THE ENQUIRY REPORT DT. 25/09/2003 BY THE ENQUIRY OFFICER BEFORE THE R1.

EXT.P10. COPY OF THE NOTICE DT. 30/10/2003 BY THE R1 TO THE PETITIONER.

EXT.P11. COPY OF THE REPLY DT. 12/11/2003 BY THE PETITIONER BEFORE THE R1.

EXT.P12. COPY OF THE ORDER NO. 1/EST/DP/UM/2003 DT. 8/12/2003 BY THE R1 TO THE PETITIONER.

EXT.P13. COPY OF THE REPRESENTATION DT. 30/12/2003 BY THE PETITIONER BEFORE THE R1.

RESPONDENT'S EXHIBITS **NIL.**

True copy

tga

KURIAN JOSEPH, J.

W.P.(C) NO. 1591 OF 2004

Dated this the 26th day of November, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibit P12 order of dismissal. Under the Service Rules, the petitioner has an effective remedy by way of appeal before the General Council of the first respondent. Therefore, this writ petition is disposed of as follows:

2. In the event of the petitioner approaching the appellate authority of the first respondent within a period of one month from today, the appeal shall be treated to have been filed in time. Thereafter, the appellate authority shall dispose of the matter with notice to the petitioner within a period of another four months.

KURIAN JOSEPH, JUDGE.

smp